

the JLMC would help mitigate ambiguity about how and where personnel matters are settled, foster a more uniform approach to the management of staff and the institution, and help legislative leaders and staff develop more coordinated planning strategies for strengthening the General Assembly and maintaining effective staff services.

As suggested above, the JLMC should be chaired by the presiding officers from the two chambers. Most similar committees in other legislatures also include the minority party leaders as members. In Vermont, it is probably appropriate to also designate the chairs of the Joint Fiscal Committee as members of the JLMC. Typically, these joint committees have about 12 members—six from each chamber. Using this benchmark as a guide, the remaining six members of the JLMC could be appointed by the presiding officers, with three appointments coming from each chamber.

Professionalization of Human Resource Management

The Vermont General Assembly employs over 85 skilled professionals but has no central personnel office or authority to oversee and guide critical employment matters such as compensation planning, personnel policy development, payroll oversight, benefits administration, professional development and employee grievance mediation. In current practice, these employment matters are handled independently, and sometimes interdependently, among the various staff offices. This situation creates competition between staff offices for compensation resources, inconsistent or unclear personnel policies, and duplication of various administrative functions related to payroll administration.

The resource competition among staff offices and lack of consistent, legislature-wide personnel policies forces legislative leaders to commit more time than they should to arbitration of salary disputes and to the mediation of employee complaints. In addition, the lack of a comprehensive staff pay plan, common promotion policies, uniform recordkeeping and consistent measures for employee performance heightens the risks for the unfair and inconsistent treatment of staff, development of inequitable pay levels for similar jobs and the potential for employee claims of discriminatory employment practices.

The Vermont Legislature is not alone among state legislatures in the delayed adoption of professional HR practices and expertise. However, there is a clear trend in state legislatures—accelerated by recent increased awareness of and attention to workplace harassment—to create or strengthen full-time human resource management offices staffed with qualified HR personnel.

The lack of an established personnel office and authority exposes the General Assembly and its employees to legal risks that can be mitigated through application of consistent personnel policies and administration. In today's very litigious and complex world of employment law, all organizations need guidance, advice and workplace solutions offered by human resources professionals.

NCSL recommends that the Vermont Legislature hire a full-time director of human resources and create an office responsible for developing several important personnel programs and services for all legislative employees. These would include:

- A staff compensation and classification plan.

- A personnel manual or handbook applicable to all employees outlining conditions of employment including leave policies, grievance procedures, workplace conduct standards and other relevant employee policies.
- Payroll procedures and employee benefits assistance.
- Candidate recruitment, hiring, discipline and employee termination procedures and support.
- Staff professional development.

It is important that the new HR function and personnel be located centrally and apart from the other staff offices to maintain neutrality and a reputation for equitable and confidential engagement with all employees. This approach will assist in the streamlining of various personnel activities currently duplicated throughout the existing staff groups. The following discussion about structural reform options includes two approaches for locating the new human resources office.

Staff Structure Reform

The creation of a new Joint Legislative Management Committee creates opportunities for streamlining the overall staff structure at the Vermont Legislature. NCSL offers two options for structural reform, both based on successful models used by other legislatures. Both options address staff issues in Vermont and suggest opportunities for building on the strengths of the existing staff structure.

Option A

Option A proposes creation of a central staff agency, the *Legislative Management Agency*, operating under the direction of an executive director. This staffing model is common to state legislatures similar to Vermont in operational scope, staff size and legislative activity and also found in many states with large staffs and more active legislative schedules than Vermont. These comparable legislative staff agencies have names such as Legislative Services Office, Legislative Services Agency, Department of Legislative Services, Bureau of Legislative Research and Legislative Research Commission and they operate successfully in Alabama, Connecticut, Indiana, Iowa, Kentucky, Maine, Maryland, Nevada, North Carolina, North Dakota, Ohio, South Dakota, and Wyoming and several other states. Option A represents a proven staff structure that provides clear lines of accountability, oversight and service responsibility.